



10-07-04

PATENT
450114-4609
*AF#
EFW***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Toshihiko Kitazawa et al.
Serial No. : 09/319,851
Filed : June 11, 1999
For : VIDEO DATA MULTIPLEXER, VIDEO DATA MULTIPLEXING
CONTROL METHOD, METHOD AND APPARATUS FOR
MULTIPLEXING ENCODED STREAM, AND ENCODING METHOD
AND APPARATUS
Examiner : Chuong T. Ho
Art Unit : 2664

745 Fifth Avenue
New York, NY 10151
(212) 588-0800

EXPRESS MAIL

Mailing Label Number: EV206803329US

Date of Deposit: October 6, 2004

I hereby certify that this paper or fee is being deposited with the
United States Postal Service "Express Mail Post Office to
Addressee" Service under 37 CFR 1.10 on the date indicated above
and is addressed to: Mail Stop AF, Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450.

Chuong T. Ho

(Typed or printed name of person mailing paper or fee)

Chuong T. Ho

(Signature of person mailing paper or fee)

**NOTICE OF APPEAL UNDER 37 C.F.R. §1.191 FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from
the Examiner's Decision, in the Final Office Action dated April 7, 2004, finally rejecting claims

1-10 and 16-39.

10/08/2004 MAHMED1 00000042 09319851

01 FC:1401
02 FC:1253

340.00 QP
870.00 QP

00223515

The item(s) checked below are appropriate:

(1) [X] This response is being filed within the third month following the expiration of the term originally set therefor. This is a petition to request a three-month extension of time. A check in the amount of \$870.00 (\$980.00 less \$110.00 previously paid) covering the cost of the petition is enclosed.

(2) [X] Notice of Appeal Fee Under 37 C.F.R. §1.17(b): \$340.00
[X] Enclosed
[] Not required (Fee paid in prior appeal)

(3) [X] Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320.

(4) [X] An Oral Hearing is requested.
(Two additional copies of the Notice are enclosed herewith).

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:



Bruno Polito
Reg. No. 38,580
(212) 588-0800